current decisions of importance (such as the *West Rand Gold Mining Co.* v. *The King*, L. R. (1905) 2 K. B. D. 391, and the great Scotch case of *Mortensen* v. *Peters*, (1906, p. 526)—and finally there are judicious book reviews and a full list of titles of current periodical literature of international law. No, not "finally." Though the cup is full, it will be made to run over. Each number of the *Journal*, counting between 250 and 300 pages as above described, is attended by a satellite of 100 to 200 pages more, in the form of a Supplement of "Official Documents," such as treaties, conventions, protocols, international declarations, and the like. The importance of this collection to the student of international law and diplomacy will be apparent when it is learned that it contains the full official text of such documents of interest and importance as the agreements of Great Britain with France and Spain regarding Morocco, the "General Act" of the Algeciras Conference, the two treaties of alliance of Great Britain and Japan, the *modus vivendi* of the United States and Great Britain respecting the Newfoundland fisheries, the conventions of Great Britain with China and Thibet in 1904, and the treaty of peace between Russia and Japan, in the first supplement, and, in the second, the series of agreements between Japan and Russia and Japan and Corea determining the international status of the latter, the agreements of Great Britain, France, and Italy regarding Abyssinia, the agreement of the United States and the Dominican Republic with reference to the customs revenues of the latter, and the recent acts of Congress regulating the Immigration of Aliens and the Expatriation of American citizens and their protection abroad. The value of this collection of official documents is enhanced by the fact that the supplements are separately but continuously paged and that they are to be separately indexed in order that the original texts may be bound by themselves. It only remains to say that the mechanical excellence of the *Journal* is equal to the importance of the publication. In the matter of paper, type and press work it is a model of what such a work should be. The numbers in hand have been published by the American Society of International Law, but the April number contains an announcement that the *Journal* will hereafter be published for the Society by Baker, Voorhis & Co., of this city.

It has seemed best to give this preliminary notice of the new journal the character of a review rather than a criticism. The publication is, of course, not free from faults but these are negligible when set over against its merits. The first journal of international law to be published in the English language, it takes its place at once as the most important journal of its class published in any language. If the standard set by the first two numbers be maintained, the periodical cannot fail to exert a powerful influence on the development of the law of nations, as well as to stimulate the awakening interest of the American people in that important body of jurisprudence.

THE PREPARATION AND CONTEST OF WILLS. By DANIEL S. REMSEN. New York: Baker, Voorhis & Co. 1907. pp. xli, 839.

From everyone who has had the pleasure of consulting Mr. Remsen's well-known and admirable "Intestate Succession in New York," this

new work on the preparation and contest of wills will be sure of a warm welcome at sight and without need of any recommendation other than that furnished by the author's name. And a careful examination of the text will fully confirm this feeling of confidence.

The work belongs to the useful class in which a number of more or less separate subjects of the law, usually treated each by itself, are brought together for the discussion of some particular feature or aspect which they have in common. In the present instance the author puts himself in the position of the lawyer when called upon to advise concerning the drafting of a proposed will, or the appropriateness of entering upon a contest of the will of a decedent. Accordingly, he includes within his field the various kinds of wills and the law relating to their form, execution, construction, revocation and revival; the various classes of property that may be disposed of by testamentary instruments; the usual objects of bounty, and their designation; donees of special character, such as witnesses, corporations, aliens, etc.; charitable and religious objects; methods of giving; descriptions of things, and of the particular estates or interests therein, which may be disposed of, whether in possession or expectancy; the vesting of gifts; the rules relating to perpetuities and restraints on alienation; conditions; lapse; trusts; powers; the management and settlement of estates; executors, trustees and guardians; the law relating to contests of wills, and a great variety of other subjects such as taxation, conflict of laws, intestacy, forgery, competency and privilege of witnesses, etc. All of these are here discussed with reference, and only with reference, to their bearing on the main purpose of the work, namely, "to aid the legal profession when called upon to advise in the planning, preparation and contest of wills." Indeed there is one other important end that will also, though not in terms mentioned by the author, be equally well served as those which he enumerates, that is, to aid in the proper construction of wills already drawn, when the lawyer's advice is sought not with a view to a possible contest, but merely for the practical purpose of determining the proper course to be pursued by executors or trustees in duly performing the duties imposed upon them. And in pursuance of the general plan of the work, there are also included chapters of great value dealing, along original and very practical lines, with preliminary considerations, the planning of testamentary schemes, and the taking of instructions. The text proper is followed by a digest of statutes of the several States and territories and of Great Britain and Ireland and certain British possessions, and by a collection, occupying more than three hundred pages, of Plans and Extracts from wills heretofore admitted to probate in various jurisdictions which are "believed to be specimens of the best testamentary writing," and are "drawn from actual wills prepared by the best legal talent." As an illustration of the painstaking care given to the preparation of the entire work, it is of interest to note that "with a view of adding to the value of such extracts they have been submitted in proof to counsel of the various estates and other interested persons for suggestive criticism in the light of the administration of each estate."

Nor are these features the only additions to the text of the work itself. For charts of practical value are furnished, showing degrees of

consanguinity; the vesting of estates given by will; and a detailed classification of testamentary gifts. There are also exhaustive tables showing survivorship under all contingencies among a number of beneficiaries, classification of powers, etc., and the book is provided with the usual table of cases cited; and table of contents; and a full and satisfactory index.

A careful examination of this book has failed to suggest anything in the way of adverse criticism. Here and there there are particular points on which it would have been satisfactory to have the benefit of a somewhat more complete statement of the learned author's views, though he has probably acted wisely in keeping the text strictly within the limits adopted. One of these points is as follows: In discussing (page 312) special provisions covering the event of simultaneous death of testator and some other beneficiary, the author mentions with approval the plan of creating a trust for some other person or persons (being those whom testator would wish to provide as alternatives to the one whom he would first desire to benefit), on such terms and conditions that if the favored beneficiary should in fact survive testator the trust for others should then, or shortly, terminate, so that the property might then pass to the favored beneficiary. It would, in this connection, be very gratifying to have Mr. Remsen's views, for or against, concerning another method sometimes adopted, namely, the plan of leaving the property in trust for the favored beneficiary, A, for A's life, if A survives testator, and then all of it (or, if desired, any part of it that may not then have been consumed by A) to B, and if A does not survive testator then to B at testator's death. Under such a provision it has been suggested that the difficulties in the way of determining (in case of the death of testator and A in a common calamity), which of them in fact survived the other, would at least be greatly reduced, on the ground that whichever survived in fact, the property, by the time the question could arise, would in any event then belong to B; while if no such common calamity occurred, and A survived testator, A would then, as proposed, enjoy the benefit of the trust for life, and would be succeeded, as also proposed, by B, or some other specified substitute. There is no intention of discussing here the merits or demerits of the plan thus sometimes adopted, and it is not at all by way of criticism of the book that the point is suggested as possibly worthy of brief treatment in a future edition.

The entire work shows every evidence of careful planning and painstaking, intelligent and successful execution, and may be unreservedly commended.

HISTORY OF ROMAN PRIVATE LAW. Part I: Sources. By E. C. CLARK, LL. D., Regius Professor of Civil Law in the University of Cambridge. University Press. New York: G. P. Putnam's Sons. 1906. pp. 168.

Professor Clark's "History" will undoubtedly be a work of great value. Not only is he a competent and painstaking investigator of the sources, but he is also familiar with the recent literature of Roman legal history, in Italy as well as in Germany and France. To continental as